

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 04-1132

CALVERT SOCIAL INVESTMENT FUND; CALVERT
VARIABLE SERIES, INCORPORATED,

Plaintiffs - Appellees,

versus

NCM CAPITAL MANAGEMENT GROUP, INCORPORATED,

Defendant - Appellant.

Appeal from the United States District Court for the District of
Maryland, at Greenbelt. Andre M. Davis, District Judge. (CA-02-
4130-AMD)

Submitted: November 19, 2004

Decided: December 16, 2004

Before LUTTIG, WILLIAMS, and GREGORY, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Mark Fox Evens, Mary Margaret Utterback, THELEN, REID & PRIEST,
L.L.P., Washington, D.C., for Appellant. Stephen G. Topetztes,
Andrew J. Dubill, KIRKPATRICK & LOCKHART, L.L.P., Washington, D.C.,
for Appellees.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

NCM Capital Management Group, Inc., appeals from a grant of summary judgment in favor of Calvert Variable Series, Inc., and Calvert Social Investment Fund (the Funds). NCM concedes that it breached its contracts with the Funds but contends that the district court erred by awarding the Funds damages for the breach. Having carefully reviewed the record and the parties' written submissions, we affirm on the reasoning of the district court. (J.A. at 293-300.) We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED